

Case 1:08-cv-03751-LAK Document 2 Filed 05/08/2008 Page 2 of 2  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Francois Marland,

Plaintiff(s)

V.

Matthew Heysel and Big Sky Energy  
Corporation,

Defendant(s).

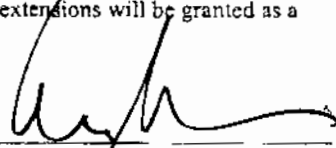
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Consent Scheduling Order

Upon consent of the parties, it is hereby  
ORDERED as follows:

1. No additional parties may be joined after 7/1/08
2. No amendments to the pleadings will be permitted after 7/1/08
3. The parties shall make required Rule 26(a)(2) disclosures with respect to:
  - (a) expert witnesses on or before 8/15/08;
  - (b) rebuttal expert witnesses on or before 9/15/08.
4. All discovery, including any depositions of experts, shall be completed on or before 10/3/08.
5. A joint pretrial order in the form prescribed in Judge Kaplan's individual rules shall be filed on or before 11/7/08.
6. No motion for summary judgment shall be served after the deadline fixed for submission of the pretrial order. The filing of a motion for summary judgment does not relieve the parties of the obligation to file the pretrial order on time.
7. If any party claims a right to trial by jury, proposed voir dire questions and jury instructions shall be filed with the joint pretrial order.
8. Each party or group of parties aligned in interest shall submit not less than ten (10) days prior to trial (a) a trial brief setting forth a summary of its contentions and dealing with any legal and evidentiary problems anticipated at trial, and (b) any motions in limine.
9. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the date hereof. Counsel should not assume that extensions will be granted as a matter of routine.

Dated: 5/29/08

  
Lewis A. Kaplan  
United States District Judge

CONSENTED TO [signatures of all counsel]

*Andrew W. Hayes (Plaintiffs)*

*LAC (DEFENDANTS)*  
**LLOYD CHINN**  
**PROSKAUER ROSE LLP**

